

REMARKS

The following remarks are provided in response to the Office Action dated February 11, 2004 in which the Examiner:

- objected to claims 1-15 and 22-24 for various informalities;
- rejected claims 1, 5, 6, 10, 11, 15, 16, 18, 20, and 22-27 under 35 U.S.C. §102(e) as being anticipated by United States Patent No. 6,301,658 to Koehler; and
- rejected claims 2-4, 7-9, 12-14, 17, 19, and 21 under 35 U.S.C. §103(a) as being unpatentable over Koehler in view of Newton's Telecom Dictionary (hereinafter Newton) and Microsoft's Computer Dictionary, 5th Edition (hereinafter Microsoft).

The applicant respectfully requests reconsideration of the above referenced patent application in view of the amendments and remarks set forth herein, and respectfully requests that the Examiner withdraw all rejections.

Claim Objections

The Examiner objected to claims 1-15 and 22-24 for various informalities. Claims 1 and 6 have been amended to include "certificate." Claim 11 has been amended to include "authority." Claims 16 and 17 has been amended to include "issuing." The applicants disagree that claims 22-24 require correction. Accordingly, the applicant asserts that he has overcome the Examiner's claim objections.

35 U.S.C. §102(e)

The Examiner rejected claims 1, 5, 6, 10, 11, 15, 16, 18, 20, and 22-27 under §102(e) as being anticipated by Koehler. For at least the foregoing reasons the applicant traverses the Examiner's rejection.

To establish a *prima facie* case of anticipation under 35 U.S.C. §102, the Examiner must supply a single prior art document that alone teaches “. . . **every** aspect of the claimed invention either explicitly or impliedly.” (emphasis added) (See M.P.E.P. §706.02) If the Examiner cannot show that the single prior art document asserts each and every element and limitation of the applicants' claims, then the Examiner has failed to establish a *prima facie* case of anticipation for that claim. To overcome the Examiner's anticipation rejection, the applicant must only demonstrate that the cited prior art document fails to teach one element or limitation present in the claim.

Currently amended independent claim 1 recites in a salient portion:

transmitting, by the second digital certificate issuing authority, the twice signed electronic document to the first digital certificate issuing authority and to the party;

wherein the second digital certificate issuing authority is hierarchically superior to the first digital certificate issuing authority.
(emphasis added)

Currently amended independent claims 6, 11, 16, 18 and 20 recite a similar limitation. The Examiner alleges that Koehler column 2 line 51 bridging column 3 and column 4 line 66 bridging column 5 line 20 teaches signing, by the second digital certificate issuing authority, the once signed electronic document to obtain a twice signed electronic document. The Examiner further alleges that Koehler column 2 lines 61-67 teach that the second digital issuing authority is hierarchically superior to the first digital certificate issuing authority. The applicant asserts, however, that the cited portions of Koehler fail to

teach transmitting, by the second digital certificate issuing authority, the twice signed electronic document to the **first digital certificate issuing authority and to the party** as recited by currently amended independent claim 1. Further, Koehler Figure 2 and accompanying description in column 5 lines 42-62 disclose a verification server coupled to a verification cache and certificate repository. In particular, “[c]ertificate repository 80 maintains **all** digital certificates issued by the authentication hierarchy” (See Koehler column 5 lines 59-61) (emphasis added). The applicant affirms that Koehler teaches a singular certificate repository and would not permit transmitting, by the second digital certificate issuing authority, the twice signed electronic document to the first digital certificate issuing authority and to the party (i.e., multiple locations) as recited by currently amended claim 1.

Accordingly, the applicant respectfully requests that the Examiner allow independent claims 1, 6, 11, 16, 18, and 20. Further, the applicant requests that the Examiner allow dependent claims 2-5, 7-10, 12-15, 17, 19, and 21-27 as each depends on a patentable independent claim.

35 U.S.C. §103(a)

The Examiner rejected claims 2-4, 7-9, 12-14, 17, 19, and 21 under §103(a) as being unpatentable over Koehler in view of Newton and Microsoft. For at least the reasons offered in response to the §102(e) rejection, the applicant asserts that claims 2-4, 7-9, 12-14, 17, 19, and 21 are patentable over Koehler in view of Newton and Microsoft as each depends on a patentable independent claim.

CONCLUSION


For at least the foregoing reasons, the applicant submits that he has overcome the Examiner's rejections and that he has the right to claim the invention as set forth in the listed claims.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,

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